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PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE

(Case No. MBHB00-882-I (400/118))

IN THE APPLICATION OF:

McSwiggen *et al.*

Serial No. 10/712,762

Filed: November 13, 2003

Title METHOD AND REAGENT FOR THE
INHIBITION OF TELOMERASE ENZYME

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)
)
)
) Examiner:

)
) Group Art Unit:

)
) Confirmation No.:

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In regard to the above identified application:

1. We are transmitting herewith the attached:
 - a. Request to Correct Inventorship Under 37 CFR § 1.48(a);
 - b. Statement of Dan T. Stinchcomb;
 - c. Corrected Oath/Declaration and Power of Attorney;
 - d. Written Consent of the Assignee; and
 - e. Return Receipt Postcard.
2. With respect to additional fees:
☒ Attached is a check in the amount of \$130.00 in pursuant to 37 CFR 1.17(i)
3. Please charge any additional fees or credit overpayment to Deposit Account No.13-2490.
A duplicate copy of this sheet is enclosed.
4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 17th day of February, 2004.

Date: February 17, 2004

By: Anita J. Terpstra
Anita J. Terpstra
Reg. No. 47,132

McDONNELL BOEHNNEN, HULBERT & BERGHOFF
300 SOUTH WACKER DRIVE
CHICAGO, ILLINOIS 60606
TELEPHONE (312) 913-0001
FACSIMILE (312) 913-0002

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UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. MBHB00-882-I (400/118))

IN THE APPLICATION OF:)
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McSwiggen *et al.*)
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Serial No. 10/712,672) Examiner:
)
Filed: November 13, 2003) Group Art Unit:
)
Title METHOD AND REAGENT FOR) Confirmation No.:
THE INHIBITION OF)
TELOMERASE ENZYME)

REQUEST TO CORRECT INVENTORSHIP UNDER 37 CFR § 1.48(a)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby request the deletion of inventor, Dan T. Stinchcomb from the instant application. Due to the subject matter of the claims of the instant application, Dan T. Stinchcomb should not be listed as an inventor of U.S. Application No. 10/712,672. The error in inventorship occurred without deceptive intent of Applicants.

Applicants have submitted herewith: (1) a Statement of Dan T. Stinchcomb in support of this request; (2) a corrected Oath/Declaration and Power of Attorney under 37 CFR § 1.63; (3) a Written Consent of the Assignee; and (4) the required processing fee.

Applicants enclosed a check of \$130.00 for the processing fee set forth in 37 CFR § 1.17(i). It is believed that no further fee is due in connection with this filing; however, if a further fee is due, please charge our Deposit Account No. 13-2490.

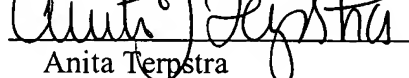
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Date: February 17, 2004

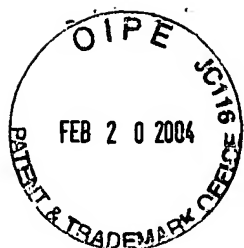
Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff

By: 
Anita Terpstra
Registration No. 47,132

McDonnell Boehnen Hulbert & Berghoff
300 South Wacker Drive, Suite 3200
Chicago, IL 60606
Tel: (312) 913-0001
Fax: (312) 913-0002

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TELOMERASE ENZYME)

STATEMENT OF DAN T. STINCHCOMB

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Dan T. Stinchcomb, residing at 8409 S. County Road 3, Ft. Collins, Colorado 80528, United States of America, hereby affirm that the error in inventorship occurred without deceptive intention on my part.

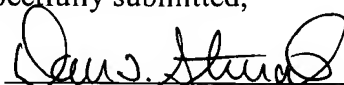
In fact, the Oath/Declaration filed in the parent application U.S. Serial No. 09/653,225, on which I am and should remain a named inventor, was inadvertently submitted in the instant application through no fault of my own. Due to the amended subject matter of the claims in the instant application, I should not be a named inventor for U.S. Serial No. 10/712,672.

Thus, the error resulted from an administrative error in the documents submitted with the continuation application of U.S. Serial No. 10/712,672, which Oath/Declaration documents were erroneously transferred from the parent application, U.S. Serial No. 09/653,225. Accordingly, the error in inventorship occurred without deceptive intention.

Respectfully submitted,

Date: January 29, 2004

By:


Dan T. Stinchcomb

McDonnell Boehnen Hulbert & Berghoff
300 South Wacker Drive, Suite 3200
Chicago, IL 60606
Tel: (312) 913-0001
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CONSENT OF ASSIGNEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Bharat M. Chowrira, am Vice President, Legal Affairs, Licensing and Patent Counsel of Sirna Therapeutics, Inc., located at 2950 Wilderness Place, Boulder, Colorado 80301, United States of America, and have the authority to act on behalf of the assignee, Sirna Therapeutics, Inc., in the specific matter of consent to correct inventorship of the instant application.

Sirna Therapeutics, Inc. consents to the deletion of Dan T. Stinchcomb as an inventor of the instant application.

Respectfully submitted,
Sirna Therapeutics, Inc.

Date: January 30, 2004

By: 
Bharat M. Chowrira, Ph.D.